

# STATEMENT OF JUSTIFICATION

## Special Exception to permit a church use in the A-3 Zoning District

Section 2-403(C)  
PIN: 243-49-8730

December 6, 2007



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### I. Introduction

The Applicant, **Washington Immanuel Presbyterian Church**, (hereinafter, the "Applicant"), requests a special exception, per section 2-403 (C) of the Revised 1993 Loudoun County Zoning Ordinance (the "Zoning Ordinance") to permit a church use within an existing building in the A-3 zoning district. The Applicant proposes to locate the church in the Rural Policy Area on approximately ten acres abutting Evergreen Mills Road, south of its intersection with Ryan Road, and north of its intersection with Fleetwood Road (the "Property") (See attached vicinity maps).

### II. Project Summary

The existing building that will accommodate the church use consists of approximately 10,646 square feet and was formerly a warehouse that serviced an agricultural hydroponics use. Following the building's use as an agricultural warehouse, an Elks Lodge assumed control and utilized the building for gathering purposes. Despite the Elks Lodge use of the building as a gathering space, an assembly use was never established and the Elks Lodge was never a legally established use.

The Applicant intends to retrofit the existing building to serve as a 250-seat assembly area for church services. In addition to the retrofit of the existing warehouse building, the Applicant will construct a new entrance drive (to meet sight distance requirements) and additional parking to serve the Property. The construction of the entrance drive and parking areas will not affect any forest stands and encompasses an area that is essentially devoid of vegetation. An existing pond is located in the southeastern portion of the Property and will accommodate the Property's storm water runoff.

In order to address the Property's sanitary sewer needs, an existing pump & haul operation will have to be approved to permanent status. The Property is located in the Rural Policy Area, which forbids the extension of water and sewer to private institutional uses. A study to determine the suitability for a drain field on the Property verified that due to unsuitable soil conditions and a lack of area, a drain field is not considered a viable option. Therefore, due to policy restrictions and the lack of a suitable area to accommodate a drain field, the Applicant will be applying for a separate permanent pump & haul permit to accommodate the Property's sanitary sewage needs. An existing well is also located on-site and will be studied at the site plan stage of review to determine if the well meets current standards or a new well is needed.

### **III. Special Exception Issues for Consideration**

The following items are addressed in accordance with section 6-1310 of the Zoning Ordinance:

**(A) Whether the proposed special exception is consistent with the Comprehensive Plan.**

The Property is designated for rural uses in the Revised General Plan (the “RGP”). The proposed special exception proposes a church use, which is considered an institutional use and complies with the following rural economy policies of the RGP:

- 14) New non-rural commercial uses that are not compatible with the dominant agricultural land use pattern will be allowed to locate only in Towns. The County may permit non-agriculturally related commercial uses by special exception in the Rural Policy Area if the use is agriculturally and rurally compatible in scale and intensity, poses no threat to public health, safety and welfare, and if the use helps to preserve farmland and open space and continue agricultural operations.
- 17) Expansions to existing institutional uses will be permitted in the Rural Policy Area if the proposed expansion is compatible with neighboring uses and poses no serious public health or safety problems and if the necessary infrastructure and supporting or ancillary activities can be provided cost-effectively.

**(B) Whether the proposed special exception will adequately provide for safety from fire hazards and have effective measures of fire control.**

The Applicant is not proposing any new building construction in conjunction with this special exception and does not foresee any conflicts with fire hazards.

- (C) Whether the level and impact of any noise emanating from the site, including that generated by the proposed use, negatively impacts the uses in the immediate area.**

The proposed special exception does not include any use that will result in noise emanating from the site. All congregation activities are planned for indoor use and any outdoor functions will not result in negative impacts on the uses in the immediate area.

- (D) Whether the glare or light that may be generated by the proposed use negatively impacts uses in the immediate area.**

The proposed special exception does not include any use that will emit glare or light that negatively affects uses in the immediate area.

- (E) Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels.**

The proposed special exception is compatible with the rural economy policies as stated above as well as the existing uses on adjacent parcels. The adjacent parcels consist of the following: vacant parcels to the north and west that consist primarily of vegetation; undeveloped large-lot parcels to the east of

Evergreen Mills Road; and one existing large-lot residential parcel to the south.

The proposed church use is anticipated to be compatible with these existing uses.

- (F) Whether sufficient existing or proposed landscaping, screening and buffering on the site and in the neighborhood to adequately screen surrounding uses.**

The Applicant will provide the necessary landscaping, buffering, and screening to accommodate Zoning Ordinance requirements.

- (G) Whether the proposed special exception will result in the preservation of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance.**

With the exception of the construction of a new driveway entrance and parking areas on previously disturbed portions of the Property, the application does not include any site disturbance that will negatively affect the preservation of any topographic, or physical, natural, scenic, archaeological or historic features of significant importance.

- (H) Whether the proposed special exception will damage existing animal habitat, vegetation, water quality (including groundwater) or air quality.**

With the exception of the construction of a new driveway entrance and parking areas on previously disturbed portions of the Property, the application

does not include any site disturbance that will negatively affect the existing animal habitat, vegetation, water quality or air quality.

**(I) Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.**

The proposed special exception will contribute to and promote the welfare and convenience of the public by providing an institutional use that will serve as a gathering place in the A-3 zoning district of the Rural Policy Area.

**(J) Whether the traffic expected to be generated by the proposed use will be adequately and safely served by roads, pedestrian connections and other transportation services.**

Per the November 27, 2007 traffic study drafted by Wells & Associates, the proposed church use would generate 8 AM peak hour trips, 7 PM peak hour trips, and 164 Sunday peak hour trips, which should be adequately served by Evergreen Mills Road.

**(K) Whether, in the case of existing structures proposed to be converted to uses requiring a special exception, the structures meet all code requirements of Loudoun County.**

The existing warehouse will be converted into a church use that will accommodate approximately 250 seats. An architect will be hired by the Applicant to survey the existing building and provide oversight in its renovation.

All necessary building permits will be obtained and the necessary County inspections will take place to meet all Loudoun County code requirements.

**(L) Whether the proposed special exception will be served adequately by essential public facilities and services.**

The proposed special exception will be served adequately by private facilities and services, namely for storm water, sanitary sewer and well water. As stated above, an existing pond is located in the southeastern portion of the Property and it will accommodate the Property's storm water runoff. In order to address the Property's sanitary sewer needs, an existing pump & haul operation will have to be approved to permanent status. The Property is located in the Rural Policy Area, which forbids the extension of water and sewer to private institutional uses. A study to determine the suitability for a drain field on the Property verified that due to unsuitable soil conditions and a lack of area, a drain field is not considered a viable option. Therefore, due to policy restrictions and the lack of a suitable area to accommodate a drain field, the Applicant will be applying for a separate permanent pump & haul permit to accommodate the Property's sanitary sewage needs. An existing well is also located on-site and will be studied at the site plan stage of review to determine if the well meets current standards or a new well is needed.

**(M) The effect of the proposed special exception on groundwater supply.**

The proposed special exception will have no effect on groundwater supply considering that the existing pond located in the southeastern portion of the Property will accommodate the site's storm water runoff.

**(N) Whether the proposed use will affect the structural capacity of the soils.**

The proposed special exception will have no effect on the structural capacity of the soils.

**(O) Whether the proposed use will negatively impact orderly and safe road development and transportation.**

The proposed special exception will not overly burden the AM or PM peak hour periods on Evergreen Mills Road. The proposed special exception will have a considerable impact on Sundays, but the amount of trips will not negatively affect the performance of the road as the amount of Sunday trips is far less than the weekday AM and PM peak hour periods.

**(P) Whether the proposed special exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.**

The proposed special exception will provide employment for the church staff, but will not serve as an encouragement of economic development. The



proposed special exception does comply with the intentions and policies of the RGP.

**(Q) Whether the proposed special exception considers the needs of agriculture, industry, and businesses in future growth.**

The proposed special exception proposes a church use and does not address the needs of agriculture, industry, and businesses in future growth.

**(R) Whether adequate on and off-site infrastructure is available.**

Adequate on-site infrastructure is available, but will require additional permits and review before it can be utilized.

**(S) Any anticipated odors which may be generated by the uses on site, and which may negatively impact adjacent uses.**

The proposed special exception will not produce any odors.

**(T) Whether the proposed special exception uses sufficient measure to mitigate the impact of construction traffic on existing neighborhoods and school areas.**

Any construction traffic that will access the site will do so via Evergreen Mills Road and will not have an impact on neighborhoods or school areas.

**IV. Conclusion**

The special exception application to permit a church use in the A-3 zoning district will comply with the policies of the RGP and serve to improve the Property through the renovation and upgrade of existing structures. The location of the Property on a major collector road that divides the transition and rural policy areas will serve as an appropriate location for a 250-seat church. The church use will have a negligible impact on the AM and PM weekday peak hour periods and will be utilized primarily on Sundays when traffic has less of an impact on Evergreen Mills Road.

**Vicinity Maps**



